

TUESDAY, MAY 19, 1981

FORTY-NINTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother William Wilder, West 7th Street Church of Christ, Columbia, Tennessee.

Representative Richardson led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 92

Representatives present were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

The Speaker announced that Representative Bell (Knox) was excused because of an accident.

The Speaker announced that Representative Martin was excused because of business.

The Speaker announced that Representative Stafford was excused because of illness.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Consent Calendar for Tuesday, May 19, 1981: House Bills Nos. 421, 1331, 1334, 1335, 1337, 1338, 1339; Senate Joint Resolutions Nos. 123 and 124; House Resolution No. 53; House Joint Resolutions Nos. 221 and 222; and Senate Joint Resolution No. 127.

GILL, *Chairman.*

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared

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House Bills Nos. 377, 502, 690 and 1244; and House Resolutions Nos. 50, 54, 55, 56, 57 and 58; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 377, 502, 690 and 1244; and House Resolutions Nos. 50, 54, 55, 56, 57 and 58.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 210—Relative to memory, Rebecca Jennings Thomas;
218—Relative to congratulating Franklin High School Marching Band;
223—Relative to honoring Don O. Chandler;
224—Relative to recess, House of Representatives; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 434—To amend Section 40-803, Code;
496—To amend Title 4, Chapter 6, Code;
643—To grant certain authority, Alcoholic Beverage Commission;
1032—To amend Section 7-36-116, Code;
1147—To create Peace Officer Standards and Training Commission;
1282—To increase litigation tax, Sumner County;
1330—To authorize privilege tax on lodgings, Jonesboro; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 204—Relative to memory, Mrs. Lillie "Mother Ladd" Mauser;
205—Relative to memory, John Joyce Harris;
206—Relative to memory, Judge Albert E. Martin;
208—Relative to congratulating Holston High School boys' basketball team;

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209—Relative to memory, Judge Albert E. Martin;

211—Relative to proclaiming April 30, 1981 as “Casey Jones Day”;

216—Relative to proclaiming Parrottsville Parrotts rulers of the roost; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 178, 377, 396, 477, 502, 690, 834, 953, 970, 971, 1244, 1270 and 1293; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 178, 377, 396, 477, 502, 690, 834, 953, 970, 971, 1244, 1270 and 1293; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

175—To amend Title 40, Chapter 8, Code;

444—To appropriate sum certain, building improvements, TSU;

770—To create additional position, 17th Chancery Division;

786—To regulate compensation, juvenile court judge, Hamilton County;

863—To amend Section 39-4914, Code;

998—To regulate employee contributions, retirement;

1065—To amend Charter, Ashland City;

1070—To amend Section 5-11-112, Code;

1249—To amend Section 57-4-102, Code;

1320—To amend Section 67-3047, Code;

1340—To create Shelby County Agri-Center Commission;

1341—To regulate powers, city council, Clarksville;

1343—To create a Probate and Juvenile Court, Humphreys County;

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1344—To amend Charter, Clarksville; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

81—Relative to requiring certain information, Secretary of State;

113—Relative to study, problems, property taxes across state;

120—Relative to appointment, Larry Nunn;

125—Relative to congratulating Julia Gibbons;

126—Relative to honoring Andrew Blevins Rittenberry; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1331—To amend Charter, Jackson;

1339—To amend Chapter 144, Private Acts 1975;

1349—To amend Chapter 260, Private Acts 1974; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

121—Relative to study, certain phases, nonprofit corporations;

123—Relative to honoring Dr. Gene H. Stollerman; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 80, 452, 461, 475, 551, 553, 610, 639, 773, 833, 930, 935, 1048, 1095, 1219, 1226, 1230, 1240, 1280, 1305, 1306, 1317 and 1318; and House Joint Resolutions Nos. 194, 198, 203 and 219; with his approval.

JULIA GIBBONS,
Counsel to the Governor.

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MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 532 with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

792—To amend Section 57-4-201, Code.

The Senate lifted tabling motion, reconsidered passage of the bill, reconsidered adoption of Senate Amendment No. 2, withdrew Senate Amendment No. 2, then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

501—To appropriate funds for study, sickle cell anemia;

1078—To amend Section 7-65-124 (2), Code;

1279—To amend Section 7-52-302, Code; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

479—To amend Section 24-5-113, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

557—To amend Title 64, Chapter 19, Code.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 1, 3 and 4.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

963—To amend Section 8-23-204, Code.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 2, 5, 6 and 7.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1145—To regulate Board of Claims.

The Speaker appointed a Conference Committee composed of Senators Atchley, White and Darnell to confer with a like Committee from the House in resolving the differences of the two bodies on House Bill No. 1145.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

95—To amend Section 5-8-102, Code.

The Senate concurred in House Amendments Nos. 10 and 11, and nonconcurred in House Amendments Nos. 1, 6, 7, 8, 9 and 13.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

71—To amend Sections 69-101, 69-102 and 69-103.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 1, 2, 3 and 9.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

158—To amend Title 4, Chapter 29, Part 2, Title 4, Chapter 3 and Title 12, Code.

The Senate concurred in House Amendment No. 2 and nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

502—To amend Section 45-5-503, Code.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1115—To regulate duties, Industrial Development Authority.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

665—To amend Emergency Medical Services Act.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

948—To regulate pay, certain State employees.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 593, 624, 689, 702 and 477; and House Joint Resolution No. 69; with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1037, without his

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signature.

JULIA GIBBONS,
Counsel to the Governor.

Dear Mr. Speaker,

This is a strange bill. It refers to a permit, which so far as I am aware, does not exist. Its requirements conceivably could violate the constitutional guarantee of free speech.

On the other hand, the legislature must believe that it aids law enforcement to warn citizens that it is a felony to bring more than three gallons of untaxed liquor from Arkansas to Tennessee. It seems to me it would be simpler to put a sign on the bridge.

I am returning House Bill 1037 without my signature.

Sincerely,

Lamar Alexander

House Bill No. 1037 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 43 and 59, without his signature.

JULIA GIBBONS,
Counsel to the Governor.

Dear Mr. Speaker,

I am hereby returning House Joint Resolution 43 without my signature.

This resolution directs the Department of Finance and Administration to study the feasibility of establishing a book repair industry.

I appreciate the General Assembly's expression on this matter and I, of course, will consider it most carefully. As a general matter, I have decided that it is inappropriate for me to sign resolutions directing or urging a state agency to take some certain action.

Sincerely,

Lamar Alexander

Dear Mr. Speaker,

I am hereby returning House Joint Resolution 59 without my signature.

This resolution urges the State Department of Education to notify local school boards of Tennessee Code Annotated, Section 39-5306.

I appreciate the General Assembly's expression on this matter and I, of course, will consider it most carefully. As a general matter, I have decided that it is inappropriate for me to sign resolutions directing or urging a state agency to take some certain action.

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Sincerely,

Lamar Alexander

House Joint Resolutions Nos. 43 and 59 become effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 107, 131, 165, 549, 573, 618, 643, 689, 712, 812, 987, 1062, 1138 and 1146; also, Senate Joint Resolutions Nos. 116, 117, 118 and 119; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 107, 131, 165, 549, 573, 618, 643, 689, 712, 812, 987, 1062, 1138 and 1146; and Senate Joint Resolutions Nos. 116, 117, 118 and 119.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

191—To amend Title 6, Chapter 51, Code.

The Senate nonconcurred in House Amendments Nos. 1, 2, 3, 7, 8, 9, 11, 12, 13 and 14.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

224—To amend Title 6, Code;

432—To amend Title 33, Chapter 18, Code;

443—To amend Section 8-7-201, Code; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

892—To amend Title 67, Chapter 5, Code;

958—To clarify Rules of Appellate Procedure; both substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

755—To amend Section 33-604, Code; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

811—To amend Title 26, Chapter 2, Code;

858—To regulate salaries, District Attorneys General;

910—To amend Section 67-602, Code;

1044—To amend Title 29, Chapter 20, Code;

1124—To regulate police authority, certain towns;

1354—To amend Chapter 62, Private Acts 1981;

1355—To amend Chapter 153, Private Acts 1917; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

515—To amend Sections 40-2105 and 40-2108, Code;

630—To amend Section 55-10-403, Code;

668—To amend Section 30-2003, Code;

670—To amend Title 29, Chapter 20, Code;

968—To amend Section 64-106, Code;

1321—To regulate municipal elections, Surgoinville; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 368, 372, 378, 832, 951 and 1011 with his approval.

JULIA GIBBONS,
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 434, 496, 501, 643, 792, 1032, 1078, 1147, 1279, 1282 and 1330; and House Joint Resolutions Nos. 204, 205, 206, 208, 209, 210, 211, 216, 218, 223 and 224; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 434, 496, 501, 643, 792, 1032, 1078, 1147, 1279, 1282 and 1330; and House Joint Resolutions Nos. 204, 205, 206, 208, 209, 210, 211, 216, 218, 223 and 224.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1062, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 658, 664 and 897; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 658, 664 and 897.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 231 out of order, which motion prevailed.

House Joint Resolution No. 231—Relative to wishing Brenda Turner a speedy recovery—By Burnett, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dissspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussey, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 232 out of order, which motion prevailed.

House Joint Resolution No. 232—Relative to proficiency testing, students—By Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Severance moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 230 out of order, which motion prevailed.

House Joint Resolution No. 230—Relative to memory, Virgil Lee Matthews, Sr.—By Severance and Smith.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Severance, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 233 out of order, which motion prevailed.

House Joint Resolution No. 233—Relative to congratulating Cohn High School basketball team—By Love.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Love, the resolution was adopted.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 234 out of order, which motion prevailed.

House Joint Resolution No. 234—Relative to congratulating Miss LaRita Shelby, Miss Black World—By DeBerry, Withers and Jones.

On motion, the rules were suspended for the immediate consideration of the resolution.

Ms. DeBerry moved that House Joint Resolution No. 234 be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry,

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DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWhorter—94.

A motion to reconsider was tabled.

Mr. DePriest moved that the rules be suspended for the purpose of introducing House Resolution No. 61 out of order, which motion prevailed.

House Resolution No. 61—Relative to honoring Elsie C. Abernathy—By DePriest.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. DePriest, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED—LOCAL BILLS

Mr. Rhinehart moved that the rules be suspended to allow all pre-filed local bills to be passed on first consideration today, which motion prevailed.

CALENDAR

Mr. Severance moved that House Bill No. 451 be placed on the Calendar for Monday, February 15, 1982, which motion prevailed.

Mr. Smith moved that House Bill No. 900 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

On motion of Ms. Gaia House Bill No. 55 was withdrawn from the House.

Ms. DeBerry moved that House Bill No. 488 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Davis (Hamilton) moved that House Bill No. 839 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

Mr. Moore moved that House Bill No. 23 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

Mr. Davis (Hamilton) moved that House Bill No. 994 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

House Bill No. 614—To make certain provisions, securities.

On motion, House Bill No. 614 was made to conform with Senate Bill No. 224.

On motion, Senate Bill No. 224, on same subject, was substituted for House Bill No. 614.

Mr. Henry (Blount) moved that Senate Bill No. 224 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 224 by deleting section 1 in its entirety and renumbering succeeding sections accordingly.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 224, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

Senate Joint Resolution No. 48—Relative to filing suit, TVA.

Mr. Scruggs moved that Senate Joint Resolution No. 48 be concurred in, which motion prevailed by the following vote:

Ayes	90
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representatives voting no were: Copeland and Spence—2.

A motion to reconsider was tabled.

House Bill No. 1141—To amend Title 7, Chapter 82, Code.

On motion, House Bill No. 1141 was made to conform with Senate Bill No. 842.

On motion, Senate Bill No. 842, on same subject, was substituted for House Bill No. 1141.

Mr. Miller moved that Senate Bill No. 842 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 842 by deleting the last two paragraphs of Section 1 and substituting in lieu thereof the following:

Provided, further, that notwithstanding anything contained in this section, a utility district shall retain the exclusive authority to engage in the retail distribution of natural gas within its area.

In addition, no such person, firm, or corporation may transport natural gas from a well which on Jan. 1, 1981 was supplying a utility district or municipality, so long as said utility district or municipality shall offer and pay to the gas producer or gatherer a price, and meet other contractual terms, equal to the price and terms offered to said producer or gatherer by any other bona fide purchaser.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 842, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	2
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

Representatives voting no were: Starnes and Webb—2.

Representative present and not voting was: Burnett—1.

A motion to reconsider was tabled.

Senate Bill No. 388—To regulate Board of Nursing.

Mr. Severance moved that Senate Bill No. 388 be passed on third and final consideration.

Mr. Severance moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 388 by deleting Section 6 in its entirety and by substituting instead the following:

Section 6. Tennessee Code Annotated, Section 63-746 is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Has completed the twelfth grade or its equivalent or has successfully passed the test for and has received a general equivalency diploma and such other preliminary qualifications and requirements as the board may prescribe, and

On motion, the amendment was adopted.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 388 by adding the following new section immediately preceding the final section and by renumbering such final section accordingly:

Section—. The expenditure of any funds generated by the provisions of this act shall be subject to the approval of the commissioner of the department of insurance. Any funds generated by the provisions of this act that are in excess of those which are required to make the board of nursing financially self-supporting shall be placed by such commissioner in a special account for the benefit of such board so that the necessity and extent of any future fee increases shall be easily determinable.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 388, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 20

Senate Bill No. 20—to authorize attendance, certain persons, grand juries.

Mr. Johnson moved that Senate Bill No. 20 be passed on third and final consideration.

2. Mr. Rhinehart moved that the House reconsider its action in adopting Amendment No.

Mr. McKinney moved that the motion be tabled, which motion failed by the following vote:

Ayes	26
Noes	57

Representatives voting aye were: Byrd, Clark (Davidson), Covington, Crain, Davidson, DeBerry, Disspayne, Ellis, Gill, Henry (Roane), Hillis, Kernell, King (Shelby), King (Washington), McKinney, Miller, Murphy (Davidson), Owen, Pickering, Pruitt, Robertson, Robinson (Davidson), Spence, Stallings, Turner and Ussery—26.

Representatives voting no were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Buck, Burnett, Carter, Chiles, Clark (Sumner), Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ford, Frensley, Gaia, Harrill, Henry (Blount), Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Lashlee, Lowe, McAfee, McNally, Montgomery, Murray, Naifeh, Percy, Phillips, Rhinehart, Richardson, Scruggs, Severance, Shirley, Shockley, Smith, Starnes, Sterling, Tanner, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—57.

Thereupon, on motion, the motion to reconsider action in adopting Amendment No. 2 prevailed.

Mr. Rhinehart moved that Amendment No. 2 be tabled, which motion prevailed.

Mr. Rhinehart moved that the House reconsider it's action in adopting Amendment No. 1.

Mr. McKinney moved that the motion be tabled, which motion failed by the following vote:

Ayes	28
Noes	57
Present and not voting	2

Representatives voting aye were: Brewer, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, DeBerry, Disspayne, Ellis, Henry (Roane), Jones, Kernell, King (Washington), McKinney, Miller, Moore, Murphy (Davidson), Owen, Pickering, Pruitt, Robertson, Robinson (Davidson), Small, Spence, Turner, Withers and Work—28.

Representatives voting no were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Buck, Burnett, Carter, Chiles, Clark (Sumner), Copeland, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Gaia, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Lashlee, Lowe, McAfee, McNally, Montgomery, Murray, Naifeh, Percy, Phillips, Rhinehart, Richardson, Scruggs, Severance, Shirley, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood and Yelton—57.

Representatives present and not voting were: Bragg and Robinson (Hamilton)—2.

Mr. Rhinehart moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	32
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Burnett, Carter, Chiles, Clark (Sumner), Copeland, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Ford, Frensley, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Lashlee, Lowe, McAfee, McNally, Montgomery, Murray, Naifeh, Percy, Phillips, Rhinehart, Richardson, Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—57.

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Representatives voting no were: Brewer, Buck, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, DePriest, Disspayne, Duer, Duncan, Ellis, Gaia, Gill, Henry (Roane), Jones, Kernell, King (Shelby), King (Washington), McKinney, Miller, Moore, Murphy (Davidson), Owen, Pickering, Pruitt, Robertson, Spence, Turner, Webb and Withers—32.

Representative present and not voting was: Bragg—1.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 20 by adding the following section immediately before the effective date section and renumbering subsequent sections accordingly:

SECTION—. As a condition of and while the district attorney general or his designated assistant attending before the grand jury, all proceedings, except when the grand jury is deliberating or voting, shall be recorded by an electronic recording device. An unintentional failure of any recording to reproduce all or any portion of a proceeding shall not affect the validity of the prosecution. The recording or any transcript prepared therefrom shall remain in the custody or control of the clerk of the court which has jurisdiction in the case, unless otherwise ordered by the court in a particular case. Upon petition by the defendant, the court shall provide a written transcript to the defendant. The cost of such transcript shall be borne by the defendant subject to the general law concerning indigents. The resulting cost of recording and storage shall be borne by the State. The court having jurisdiction over said grand jury shall from time to time upon motion of the attorney general direct the destruction of the items so stored upon showing that same are no longer necessary for the purposes for which retained.

by adding the following sections immediately before the last section and renumbering the subsequent section accordingly:

SECTION—. Provided, however, nothing in this act shall allow a district attorney general or his designated assistant to be present in the grand jury room while the grand jury is deliberating when the question is taken upon the finding of an indictment.

AND FURTHER AMEND by deleting in its entirety the amendment adopted by the House on March 26, 1981, however numbered.

Mr. Johnson moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	60
Noes	28
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Burnett, Carter, Chiles, Clark (Sumner), Copeland, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Lashlee, Lowe, McAfee, McNally, Miller, Montgomery, Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Scruggs, Severance, Shirley, Shockley, Small, Stallings, Starnes, Tanner, Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—60.

Representative voting no were: Brewer, Buck, Clark (Davidson), Cobb, Covington, Crain, Davidson, DeBerry, DePriest, Disspayne, Ellis, Gaia, Henry (Roane), Jones, Kernell, King (Shelby), Love, McKinney, Moore, Murphy (Davidson), Pickering, Pruitt,

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Robertson, Robinson (Hamilton), Spence, Sterling, Turner and Withers—28.

Representatives present and not voting were: Bewley, Byrd and Webb—3.

Mr. McKinney moved that Senate Bill No. 20 be re-referred to the Committee on State and Local Government.

Mr. Jared moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	58
Noes	33
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Lashlee, Lowe, McAfee, McNally, Montgomery, Naifeh, Percy, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Tanner, Ussery, Wallace, Wheeler, Whitson, Wix, Wood, Work and Yelton—58.

Representatives voting no were: Bewley, Bragg, Brewer, Byrd, Cobb, Covington, Crain, Davidson, DeBerry, DePriest, Disspayne, Ellis, Gaia, Henry (Roane), Jones, Kernell, King (Shelby), King (Washington), Love, McKinney, Miller, Moore, Murphy (Davidson), Murray, Owen, Pickering, Pruitt, Robertson, Spence, Sterling, Turner, Withers and Wolfe—33.

Representative present and not voting was: Webb—1.

Mr. Lashlee moved the previous question, which motion prevailed by the following vote:

Ayes	61
Noes	28

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Ford, Frensley, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Lashlee, Lowe, McAfee, McNally, Miller, Montgomery, Murray, Naifeh, Percy, Phillips, Rhinehart, Richardson, Robinson (Davidson), Scruggs, Shirley, Shockley, Small, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—61.

Representatives voting no were: Bragg, Brewer, Buck, Burnett, Cobb, Covington, Crain, Davidson, DeBerry, DePriest, Ellis, Gaia, Henry (Roane), Kernell, King (Shelby), King (Washington), McKinney, Moore, Murphy (Davidson), Owen, Pruitt, Robertson, Robinson (Hamilton), Severance, Smith, Spence, Turner and Withers—28.

Thereupon, Senate Bill No. 20 passed its third and final consideration by the following vote:

Ayes	72
Noes	19

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Buck,

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Burnett, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Copeland, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ford, Frenslley, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—72.

Representatives voting no were: Bragg, Brewer, Covington, Crain, DeBerry, Ellis, Gaia, Henry (Roane), Jones, Kernell, King (Washington), McKinney, Moore, Murphy (Davidson), Murray, Pickering, Pruitt, Robertson and Spence—19.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1157—to determine eligibility, Medical Assistance Program.

On motion, House Bill No. 1157 was made to conform with Senate Bill No. 1274.

On motion, Senate Bill No. 1274, on same subject, was substituted for House Bill No. 1157.

Mr. Copeland moved that Senate Bill No. 1274 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1274 House Bill 1157 is amended by deleting the first sentence of Section 1 which reads:

The Department of Public Health and the Department of Human Services, as may be designated by the Governor, shall make the determination of eligibility under this Chapter.

And substituting in lieu thereof the following language:

The Department of Public Health and the Department of Human Services, as may be designated by the Governor, shall make the determination of eligibility under this Chapter subject to approval of the Finance Ways and Means Committee of the Senate and the House of Representatives.

On motion, the amendment was withdrawn.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1274 by adding the following language at the end of the first sentence of Section 1:

and the General Welfare/Human Resources Committee of the Senate and the General Welfare committee of the House of Representatives

On motion, the amendment was withdrawn.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1274 by adding to the amendatory language of SECTION 1 the following:

Provided however that no change in eligibility shall be made which increases the number of state employees required to determine eligibility by more than 27.

Mr. Cobb moved the previous question, on the Amendment, which motion failed by the following vote:

Ayes	27
Noes	52
Present and not voting	2

Representatives voting aye were: Buck, Byrd, Clark (Davidson), Cobb, Davis (Gibson), DeBerry, Disspayne, Gaia, Gill, Hillis, Jared, Jones, King (Shelby), Lashlee, Lowe, Miller, Murphy (Davidson), Owen, Scruggs, Shirley, Spence, Tanner, Turner, Wallace, Wheeler, Whitson and Yelton—27.

Representatives voting no were: Akard, Baker, Bell (Wilson), Bewley, Bragg, Carter, Clark (Sumner), Crain, Davidson, Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ellis, Ford, Frénsley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Moore, Murray, Naifeh, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shockley, Smith, Stallings, Starnes, Sterling, Ussery, Webb, Wolfe, Wood and Work—52.

Representatives present and not voting were: Bivens and Covington—2.

Mr. Rhinehart moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	67
Noes	24
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Buck, Burnett, Carter, Chiles, Clark (Sumner), Copeland, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Lashlee, Lowe, McAfee, McNally, Moore, Naifeh, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—67.

Representatives voting no were: Bell (Wilson), Brewer, Byrd, Clark (Davidson), Cobb, Covington, Davidson, DeBerry, Disspayne, Gaia, Gill, Jones, Kernell, King (Shelby), McKinney, Montgomery, Murphy (Davidson), Murray, Owen, Pruitt, Shirley, Spence, Turner and Withers—24.

Representative present and not voting was: Miller—1.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 1274 by deleting SECTION 6 in its entirety and substituting instead:

SECTION 6. This act shall be effective from July 1, 1981 to July 1, 1982 the public welfare requiring it and from and after July 1, 1982 this act shall be of no further force or effect and the former provisions of the law shall be revived and shall be effective from July 1, 1982.

Mr. Copeland moved that the Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	62
Noes	28
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Buck, Byrd, Carter, Clark (Sumner), Copeland, Crain, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Lashlee, McAfee, McNally, Montgomery, Moore, Murphy (Shelby), Naifeh, Percy, Phillips, Richardson, Robertson, Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood, and Mr. Speaker McWherter—62.

Representatives voting no were: Bell (Wilson), Brewer, Burnett, Clark (Davidson), Cobb, Covington, Davidson, Dills, Disspayne, Ellis, Gaia, Jones, Kernell, King (Shelby), Love, Lowe, McKinney, Miller, Murphy (Davidson), Murray, Owen, Pickering, Pruitt, Robinson (Davidson), Spence, Turner, Wheeler and Yelton—28.

Representatives present and not voting were: Rhinehart and Work—2.

Mr. Stallings moved the previous question, which motion prevailed.

Thereupon, Senate Bill No. 1274, as amended, passed its third and final consideration by the following vote:

Ayes	73
Noes	20
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Buck, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work and Mr. Speaker McWherter—73.

Representatives voting no were: Bell (Wilson), Brewer, Burnett, Clark (Davidson), Covington, Davidson, DeBerry, Disspayne, Ellis, Gaia, Huskey, Jones, Kernell, King (Shelby), Murphy (Davidson), Pickering, Pruitt, Robinson (Davidson), Spence and Yelton—20.

Representative present and not voting was: Wix—1.

A motion to reconsider was tabled.

Mr. Wheeler moved that House Bill No. 812 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

House Bill No. 1082—To provide for pictured drivers' licenses.

On motion, House Bill No. 1082 was made to conform with Senate Bill No. 323.

On motion, Senate Bill No. 323, on same subject, was substituted for House Bill No. 1082.

Mr. Jared moved that Senate Bill No. 323 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 323 by deleting in the first paragraph of the amendatory language in Section 1 the words and figures "July 1, 1982" and by substituting instead the words and figures "July 1, 1983".

AND FURTHER AMEND by deleting in the first paragraph of the amendatory language of Section 1 the words and figures "July 1, 1981" and by substituting instead the words and figures "July 1, 1983".

AND FURTHER AMEND by deleting in the amendatory language of Section 2 the words and figures "July 1, 1982" and by substituting instead the words and figures "July 1, 1983".

AND FURTHER AMEND by deleting in the amendatory language of Section 3 the words and figures "July 1, 1981" and by substituting instead the words and figures "July 1, 1983".

AND FURTHER AMEND by deleting in the amendatory language of Section 3 the words and figures "July, 1982" and by substituting instead the words and figures "July, 1983".

AND FURTHER AMEND by deleting in the amendatory language of Section 4 the words and figures "July 1, 1982" and by substituting instead the words and figures "July 1, 1983".

AND FURTHER AMEND by deleting Section 10 in its entirety and by substituting instead the following:

Section 10. This act shall take effect on July 1, 1983.

Mr. Jared moved that the Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	22
Noes	63
Present and not voting	3

Representatives voting no were: Akard, Carter, Chiles, Clark (Sumner), Davis (Hamilton), Davis (Pickett), DeBerry, Ellis, Frensley, Hillis, Hudson, Jared, Johnson, Jones, Kent, McNally, Moore, Robinson (Davidson), Scruggs, Stallings, Wheeler and Yelton—22.

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Cobb, Copeland, Crain, Davidson, Davis (Gibson), Dills, Dispayne, Duer, Duncan, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hurley,

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Huskey, Kelley, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Severance, Shirley, Shockley, Small, Spence, Starnes, Sterling, Tanner, Wallace, Webb, Whitson, Wix, Wolfe, Wood and Mr. Speaker McWherter—63.

Representatives present and not voting were: Covington, Kernell and Work—3.

Thereupon, on motion, Amendment No. 1 was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 323 by adding the following new section immediately following Section 7 and by renumbering subsequent sections accordingly:

Section—. Notwithstanding any provision of this act to the contrary, no person sixty (60) years of age or older shall be required to comply with the provisions of this act unless such person on a voluntary basis chooses to comply with the provisions of this act.

On motion, the amendment was adopted.

Mr. Burnett moved that Senate Bill No. 323 be re-referred to the Committee on Finance, Ways and Means.

Mr. Burnett moved the previous question, which motion failed by the following vote:

Ayes	57
Noes	32
Present and not voting	2

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Pickett), DePriest, Dills, Duer, Ford, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jones, Kelley, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Severance, Shockley, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wolfe and Work—57.

Representatives voting no were: Akard, Bivens, Chiles, Covington, Davis (Gibson), Davis (Hamilton), DeBerry, Disspayne, Duncan, Ellis, Frensley, Gaia, Jared, Johnson, Kent, King (Shelby), McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Smith, Wheeler, Wix, Wood and Yelton—32.

Representatives present and not voting were: Kernell and Percy—2.

Mr. Robinson (Davidson) moved that the motion to re-refer be tabled, which motion failed by the following vote:

Ayes	41
Noes	46
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bivens, Brewer, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Davis (Gibson), Davis (Hamilton), DeBerry, Dis-

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spayne, Duncan, Ellis, Ford, Frensley, Gill, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Richardson, Robinson (Davidson), Scruggs, Shirley, Shockley, Stallings, Wheeler, Wix and Yelton—41.

Representatives voting no were: Bell (Wilson), Bewley, Bragg, Buck, Burnett, Copeland, Covington, Crain, Davidson, Davis (Pickett), DePriest, Dills, Duer, Gaia, Harrill, Henry (Roane), Hurley, Huskey, Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Severance, Smith, Spence, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe, Wood, Work and Mr. Speaker McWherter—46.

Representative present and not voting was: Kernell—1.

Mr. Davidson moved the previous question, which motion failed by the following vote:

Ayes	59
Noes	33
Present and not voting	2

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Bragg, Buck, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Severance, Shockley, Spence, Stallings, Starnes, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe and Work—59.

Representatives voting no were: Akard, Bivens, Byrd, Carter, Chiles, Covington, Davis (Hamilton), DeBerry, Duncan, Ellis, Frensley, Jared, Jones, Kent, King (Shelby), McNally, Montgomery, Moore, Murphy (Shelby), Owen, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Small, Smith, Tanner, Turner, Wheeler, Withers, Wix, Wood and Yelton—33.

Representatives present and not voting were: Brewer and Kernell—2.

Mr. Naifeh moved the previous question, which motion failed by the following vote:

Ayes	58
Noes	32
Present and not voting	2

Representatives voting aye were: Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ford, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Severance, Shockley, Spence, Stallings, Starnes, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe, Wood and Work—58.

Representatives voting no were: Akard, Baker, Byrd, Chiles, Covington, Davis (Hamilton), DeBerry, Duncan, Ellis, Frensley, Henry (Blount), Jared, Jones, Kelley, Kent, McNally, Montgomery, Moore, Murphy (Shelby), Owen, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Smith, Tanner, Turner, Wheeler, Withers, Wix and Yelton—32.

Representatives present and not voting were: Brewer and Kernell—2.

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Mr. Bewley moved the previous question, on the motion to re-refer which motion prevailed by the following vote:

Ayes	63
Noes	27
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Clark (Davidson), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Scruggs, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Ussery, Wallace, Webb, Whitson, Withers, Wolfe and Work—63.

Representatives voting no were: Brewer, Carter, Chiles, Covington, Davis (Hamilton), DeBerry, Duncan, Ellis, Frensley, Jones, Kent, King (Shelby), McNally, Montgomery, Moore, Murphy (Shelby), Owen, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Tanner, Turner, Wheeler, Wix, Wood and Yelton—27.

Representative present and not voting was: Kernell—1.

Thereupon, the motion to re-refer Senate Bill No. 323 to the Committee on Finance, Ways and Means, failed by the following vote:

Ayes	41
Noes	46
Present and not voting	3

Representatives voting aye were: Bell (Wilson), Bewley, Bragg, Buck, Clark (Davidson), Copeland, Crain, Davidson, Davis (Pickett), DePriest, Dills, Duer, Gaia, Harrill, Hurley, Huskey, King (Shelby), Lashlee, Love, Lowe, McAfee, McKinney, Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Severance, Small, Spence, Starnes, Sterling, Ussery, Wallace, Whitson, Wolfe, Wood, Work and Mr. Speaker McWherter—41.

Representatives voting no were: Akard, Baker, Bivens, Burnett, Chiles, Cobb, Covington, Davis (Gibson), Davis (Hamilton), DeBerry, Disspayne, Duncan, Ellis, Ford, Frensley, Gill, Henry (Roane), Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, King (Washington), McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Percy, Richardson, Robinson (Hamilton), Scruggs, Shirley, Shockley, Smith, Stallings, Tanner, Turner, Webb, Wheeler, Withers, Wix and Yelton—46.

Representatives present and not voting were: Henry (Blount), Kernell and Robinson (Davidson)—3.

Mr. Chiles moved the previous question, which motion prevailed by the following vote:

Ayes	62
Noes	27
Present and not voting	2

Representatives voting aye were: Akard, Bewley, Bivens, Bragg, Buck, Burnett, Carter, Chiles, Copeland, Crain, Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Duer, Duncan, Ford, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kent, King (Shelby), King (Washington), Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Naifeh, Percy, Phillips, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Shockley, Spence,

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Stallings, Starnes, Sterling, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wood, Yelton and Mr. Speaker McWherter—62.

Representatives voting no were: Baker, Clark (Davidson), Cobb, Covington, Davidson, Davis (Gibson), DePriest, Disspayne, Ellis, Harrill, Hudson, Kelley, Lashlee, Love, McKinney, Murphy (Davidson), Murray, Owen, Pruitt, Rhinehart, Richardson, Scruggs, Small, Smith, Tanner, Wolfe and Work—27.

Representatives present and not voting were: Brewer and Kernell—2.

Thereupon, Senate Bill No. 323, as amended, passed its third and final consideration by the following vote:

Ayes	52
Noes	40
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bivens, Brewer, Carter, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), DeBerry, Disspayne, Duncan, Ellis, Ford, Frensley, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Stallings, Sterling, Tanner, Webb, Wheeler, Withers, Wix and Yelton—52.

Representatives voting no were: Bell (Wilson), Bewley, Bragg, Buck, Burnett, Copeland, Davidson, Davis (Pickett), DePriest, Dills, Duer, Gaia, Harrill, Hurley, Huskey, Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Smith, Spence, Starnes, Turner, Ussery, Wallace, Whitson, Wolfe, Wood, Work and Mr. Speaker McWherter—40.

Representative present and not voting was: Kernell—1.

A motion to reconsider was tabled.

EXPLANATION OF VOTE ON SENATE BILL NO. 323

Mr. Speaker,

Because I am currently developing a photography business, I voted "Roll Call" in order to avoid the appearance of a conflict of interest, or an actual conflict of interest.

Rep. Michael L. Kernell

Mr. Yelton moved that House Bill No. 128 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

House Joint Resolution No. 192—Relative to tax relief, elderly low income taxpayers.

Mr. Yelton moved that House Joint Resolution No. 192 be passed on first reading.

At the request of the sponsor, House Joint Resolution No. 192 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 192 passed its first reading by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett),

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DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

House Bill No. 1007—To set certain hotel and restaurant fees.

On motion, House Bill No. 1007 was made to conform with Senate Bill No.1004.

On motion, Senate Bill No. 1004, on same subject, was substituted for House Bill No. 1007.

Mr. Rhinehart moved that Senate Bill No. 1004 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	66
Noes	20
Present and not voting	2

Representatives voting aye were: Akard, Bewley, Bivens, Brewer, Burnett, Byrd, Chiles, Clark (Sumner), Davidson, Davis (Hamilton), DeBerry, DePriest, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—66.

Representatives voting no were: Baker, Bell (Wilson), Carter, Covington, Crain, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Duer, Harrill, Kelley, Lashlee, McKinney, Murray, Phillips, Shirley, Spence, Wallace and Wolfe—20.

Representatives present and not voting were: Buck and Clark (Davidson)—2.

A motion to reconsider was tabled.

House Bill No. 1153—To set salary, District Attorneys General.

On motion, House Bill No. 1153 was made to conform with Senate Bill No.858.

On motion, Senate Bill No. 858, on same subject, was substituted for House Bill No. 1153.

Mr. Rhinehart moved that Senate Bill No. 858 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 858 by deleting the words and figures July 1, 1981 and substituting the words and figures September 1, 1982.

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Mr. Rhinehart moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	33
Noes	52
Present and not voting	5

Representatives voting aye were: Akard, Bell (Wilson), Bragg, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davis (Hamilton), DeBerry, Ellis, Frensley, Hillis, Hudson, Huskey, Jared, Johnson, King (Shelby), McNally, Montgomery, Naifeh, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Tanner, Wheeler, Wix, Work and Yelton—33.

Representatives voting no were: Baker, Bewley, Bivens, Buck, Byrd, Chiles, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hurley, Jones, Kelley, Kent, King (Washington), Lashlee, Lowe, McAfee, McKinney, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Percy, Pickering, Pruitt, Robertson, Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Sterling, Turner, Ussery, Wallace, Webb, Whitson, Wolfe and Wood—52.

Representatives present and not voting were: Dills, Love, Miller, Owen and Phillips—5.

Mr. Rhinehart moved that Senate Bill No. 858 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

Senate Joint Resolution No. 111—Relative to bridge, Cockrill Bend area, Davidson County.

Mr. McKinney moved that Senate Joint Resolution No. 111 be concurred in, which motion prevailed.

A motion to reconsider was tabled.

House Bill No. 1165—To increase incentive compensation, assessors.

Mr. McKinney moved that House Bill No. 1165 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	8
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—83.

Representatives voting no were: Duer, Gaia, Harrill, Henry (Roane), Jones, McAfee, Spence and Wolfe—8.

Representatives present and not voting were: Bragg, Byrd and Wallace—3.

A motion to reconsider was tabled.

Mr. Speaker pro tem Brewer relinquished the chair to Ms. DeBerry, Speaker pro tem.

House Bill No. 1014—To require sale, motor wreckage to licensed cyclers.

Mr. McKinney moved that House Bill No. 1014 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1014 by adding the following language at the end of the amendatory language of Section 1:

Provided, however, if the pool operator ascertains that a prospective purchaser of such motor vehicle is a non-resident of Tennessee and if approved by such operator, the provisions of this act shall not apply to such person; provided, further, however, such person shall be required to submit on an appropriate form his name, address, social security number or employer identification number.

On motion, the amendment was adopted.

Mr. Smith moved that House Bill No. 1014 be re-referred to the Committee on Commerce.

Mr. McKinney moved that the motion be tabled.

Mr. Smith withdrew his motion to re-refer.

Mr. McKinney moved that House Bill No. 1014 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

Mr. Wheeler moved that House Bill No. 811 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

Senate Bill No. 351—To amend Sections 2-9-101 and 2-9-112, Code.

Mr. Burnett moved that Senate Bill No. 351 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

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A motion to reconsider was tabled.

Mr. Bragg moved that House Bill No. 1322 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

CONSENT CALENDAR

OBJECTION

An Objection was filed to the following bill on the Consent Calendar:

Mr. Spence objected to House Bill No. 1338.

Under the rules, House Bill No. 1338 was placed at the foot of the Calendar for Wednesday, May 20, 1981.

House Bill No. 421—To allow electronic transfer of state funds.

On motion, House Bill No. 421 was made to conform with Senate Bill No. 571.

On motion, Senate Bill No. 571, on same subject, was substituted for House Bill No. 421.

House Bill No. 1331—To revise Charter, Hollow Rock.

House Bill No. 1334—To amend Chapter 689, Private Acts, 1937.

On motion, House Bill No. 1334 was made to conform with Senate Bill No. 1329.

On motion, Senate Bill No. 1329, on same subject, was substituted for House Bill No. 1334.

House Bill No. 1335—To create Probate and Juvenile Court, Humphreys County.

On motion, House Bill No. 1335 was made to conform with Senate Bill No. 1343.

On motion, Senate Bill No. 1343, on same subject, was substituted for House Bill No. 1335.

House Bill No. 1337—To amend Charter, Clarksville.

On motion, House Bill No. 1337 was made to conform with Senate Bill No. 1344.

On motion, Senate Bill No. 1344, on same subject, was substituted for House Bill No. 1337.

House Bill No. 1339—To create Board of Highway Commissioners, Cocke County.

Senate Joint Resolution No. 123—Relative to honoring Dr. R. P. Denney.

Senate Joint Resolution No. 124—Relative to honoring Mrs. Pauline Clemmer.

House Resolution No. 53—Relative to memory, John Lamb, Jr.

House Joint Resolution No. 221—Relative to honoring Hiwassee Junior College basketball team.

House Joint Resolution No. 222—Relative to supporting Veteran's Administration Medical Center.

Senate Joint Resolution No. 127—Relative to study, retirement benefits, certain persons.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 81—Relative to requiring certain information, Secretary of State.

The Speaker referred Senate Joint Resolution No. 81 to the Committee on State and Local Government.

Senate Joint Resolution No. 113—Relative to study, problems, property taxes across state.

The Speaker referred Senate Joint Resolution No. 113 to the Committee on State and Local Government.

Senate Joint Resolution No. 120—Relative to appointment, Larry Nunn.

The Speaker referred Senate Joint Resolution No. 120 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 121—Relative to study, certain phases, nonprofit corporations.

The Speaker referred Senate Joint Resolution No. 121 to the Committee on Judiciary.

Senate Joint Resolution No. 125—Relative to congratulating Julia Gibbons.

The Speaker referred Senate Joint Resolution No. 125 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 126—Relative to honoring Andrew Blevins Rittenberry.

The Speaker referred Senate Joint Resolution No. 126 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 129—Relative to honoring Dr. Gene H. Stollerman.

The Speaker referred Senate Joint Resolution No. 129 to the Committee on Calendar and Rules.

Mr. Bivens moved that action on House Bill No. 21 be deferred until Wednesday, May 20, 1981, which motion prevailed.

Mr. Moore moved that action on Senate Bill No. 239 be deferred until Wednesday, May 20, 1981, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 54—To compensate estate of employee with accrued sick leave.

SENATE AMENDMENT NO. 2

Amend House Bill No. 54 by deleting from the amendatory language of Section 1 the language "The estate of any employee, on the employee's death," and substituting the language "The estate of any employee, on the employee's death, or the estate of any deceased employee which is being compensated for terminal leave on the effective date of this act,".

FURTHER AMEND by deleting from Section 2 the language "July 1, 1981" and substituting the language "becoming a law".

Mr. Murphy (Davidson) moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWhorter—94.

A motion to reconsider was tabled.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 77

The Conference Committee appointed to resolve the differences concerning Senate Bill No. 77 adopted the following report:

Amend Senate Bill No. 77 by striking Section 1 in its entirety and by substituting therein the following language:

Section 1. Tennessee Code Annotated, Section 36-801, Part (II), is amended by

deleting the following language:

“Irreconcilable differences where the respondent has been personally served with process. If the respondent is a nonresident, personal service of process may be effectuated by service upon the secretary of state according to the provisions of Section 20-226. Provided, however, personal service shall not be required where the parties have entered into a written notarized property settlement which makes specific reference to the pending divorce action by cause or docket number.”

and by inserting therein the following language:

“If the defendant is a nonresident, personal service may be effectuated by service upon the secretary of state pursuant to the provisions of Tennessee Code Annotated, Section 20-2-215. However, in the event that Tennessee Code Annotated, Section 20-2-214 is not applicable and the defendant is a nonresident, the plaintiff may obtain service by publication provided that the parties enter into a written, notarized property settlement, including child custody and support provisions where there are children, which makes specific reference to the pending Tennessee divorce action by cause and docket number. The settlement may include the obligation and payment of alimony, in solido or in futuro, to either of the parties, any other provision of the law notwithstanding.”

Respectfully submitted,

Senator James H. White

Senator John R. Rucker

Senator Ben W. Hooper, II

Rep. Ira H. Murphy

Rep. Ed Murray

Rep. Sharon Joyce Bell

Mr. Murphy (Shelby) moved that the Report of the Conference Committee on Senate Bill No. 77 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL ON SENATE AMENDMENT

House Bill No. 146—To increase expense allowance, General Assembly.

SENATE AMENDMENT NO. 11

Amend House Bill No. 146 by deleting the language of Section 4 in its entirety and by substituting instead the following:

SECTION 4.—Section 1 of this Act shall take effect upon becoming a law, the public welfare requiring. Sections 2 and 3 of this Act shall take effect on November 2, 1982, in compliance with Article 2, Section 23 of the Tennessee Constitution.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 11, which motion failed by the following vote:

Ayes	44
Noes	45
Present and not voting	4

Representatives voting aye were: Bewley, Bivens, Carter, Cobb, Davidson, Davis (Hamilton), DeBerry, DePriest, Ellis, Harrill, Henry (Blount), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McKinney, Murphy (Davidson), Murphy (Shelby), Murray, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shockley, Spence, Stallings, Starnes, Ussery, Wheeler, Whitson, Withers, Work and Yelton—44.

Representatives voting no were: Akard, Baker, Bell (Wilson), Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davis (Gibson), Davis (Pickett), Dill's, Disspayne, Duer, Duncan, Ford, Frensey, Gaia, Gill, Henry (Roane), Hudson, Kelley, Kent, McAfee, McNally, Miller, Montgomery, Moore, Naifeh, Owen, Scruggs, Shirley, Small, Smith, Sterling, Tanner, Turner, Wallace, Webb, Wix, Wolfe and Wood—46.

Representatives present and not voting were: Brewer, Love, Pruitt and Mr. Speaker McWherter—4.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 266—To make certain provisions co-ordinator of elections.

SENATE AMENDMENT NO. 1

Amend House Bill No. 266 by inserting in the amendatory language of Section 1 after the words "the coordinators' office" the following language:

"pursuant to the request of the State Attorney General and/or a District Attorney General."

AND FURTHER AMEND by inserting in the amendatory language of Section 2 after the words "the address of his residence" the following language:

"as shown on his voter registration card."

AND FURTHER AMEND by deleting Section 7 in its entirety and renumbering the subsequent sections accordingly.

AND FURTHER AMEND by deleting Section 8 in its entirety and renumbering the subsequent sections accordingly.

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AND FURTHER AMEND by deleting the amendatory language of Section 10 in its entirety and substituting instead the following language:

“and upon payment of the actual cost of reproduction of the same.”

AND FURTHER AMEND by inserting in the amendatory language of Section 14 after the words “the address of his residence” the following language:

“as shown on his voter registration card.”

AND FURTHER AMEND by deleting from the amendatory language of Section 22 the last two sentences in their entirety and substituting instead the following language:

“Attendance at such seminars shall be mandatory for registrars-at-large and the expenses incurred in such attendance shall, upon appropriate documentation, be included in the county election commission’s annual budget submitted pursuant to Tennessee Code Annotated, Section 2-12-109 Subject to the reimbursement limits for state employees. If for any reason the registrar-at-large cannot attend, the chairperson or his designee shall attend instead.”

AND FURTHER AMEND by deleting Section 23 in its entirety and renumbering the subsequent sections accordingly.

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting from the seventh amendatory paragraph, relative to Section 22, the words and figures “Section 22” and substituting instead the words and figures “Section 21, as renumbered,”

AMENDMENT NO. 2 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting the eighth amendatory paragraph, relative to Section 23, in its entirety.

SENATE AMENDMENT NO. 2

Amend House Bill No. 266 by adding the following language at the end of the amendatory language of Section 9:

Section 2-2-138 is further amended by deleting the first and third sentences from the second paragraph in their entirety; and by adding the following language at the end of the section:

The county election commission shall make voter registration lists available for purchase by any interested citizen, upon request and payment of the cost, at a price not in excess of the cost to prepare and publish such lists. The county election commission shall act upon such request within seven (7) days of receipt of the request, and reasons for rejection or modification of such request, if any, shall be set out in writing.

AMENDMENT NO. 1 TO AMENDMENT NO. 2

Amend Amendment No. 2 by adding the words after “election commission” “in counties with a population over 250,000 according to the 1980 census”

SENATE AMENDMENT NO. 4

Amend House Bill No. 266 by deleting from the directory language of Section 14 the

words and figures “Section 2-5-101 (3) (b)” and substituting instead the words and figures “Section 2-5-101 (b)”.

SENATE AMENDMENT NO. 5

Amend House Bill No. 266 by adding at the end of the amendatory language of Section 2 the following:

Provided, however, a street address shall be sufficient, and no apartment number shall be required. Provided, further, a person’s regular signature shall be accepted just as his legal signature would be accepted. For example, for the purposes of this act “Joe Public” shall be accepted just as “Joseph Q. Public” would be accepted.

AND FURTHER AMEND by adding at the end of the amendatory language of Section 14 the following:

Provided, however, a street address shall be sufficient, and no apartment number shall be required. Provided, further, a person’s regular signature shall be accepted just as his legal signature would be accepted. For example, for the purposes of this act “Joe Public” shall be accepted just as “Joseph Q. Public” would be accepted.

SENATE AMENDMENT NO. 7

Amend House Bill No. 266 by deleting from the directory language of Section 15 the word and figures “Section 2-5-101 (b) (c)” and substituting instead the word and figures “Section 2-5-101 (c)”.

SENATE AMENDMENT NO. 9

Amend House Bill No. 266 by inserting in the fifth line of the new paragraph quoted in the amendatory language of Section 7 between the words “including” and “address” the following: “names, race and”

AMENDMENT NO. 1 TO AMENDMENT NO. 9

Amend Amendment No. 9 by adding between the words “race” and “and” in Amendment No. 9 the words “where available”

SENATE AMENDMENT NO. 11

Amend House Bill No. 266 by deleting the second amendatory paragraph, relative to Section 2, in its entirety and substituting instead the following:

AND FURTHER AMEND by deleting from the amendatory language of Section 2 the words “address of his residence” and substituting instead the following: “street address of his residence excluding any apartment or box number.”

FURTHER AMEND by deleting the sixth amendatory paragraph, relative to Section 14, in its entirety and substituting instead the following:

AND FURTHER AMEND by deleting from the amendatory language of Section 14 the words “Address of his residence” and substituting instead the following “street address of his residence excluding any apartment or box number”.

Mr. Naifeh moved that the House concur in Senate Amendments Nos. 1, as amended, 2, as amended, 4, 5, 7, 9, as amended, and 11, which motion prevailed by the following vote:

Ayes	91
Noes	2

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Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

Representatives voting no were: Chiles and Cobb—2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1073, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Kelley, House Bill No. 1073 was returned to the Senate as requested.

Ms. Speaker pro tem DeBerry relinquished the Chair to Mr. Brewer, Speaker pro tem.

Mr. Rhinehart moved that action on Senate Bill No. 753 be deferred until Wednesday, May 20, 1981, which motion prevailed.

Mr. Davidson moved that action on Senate Bill No. 420 be deferred until Wednesday, May 20, 1981, which motion prevailed.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, May 20, 1981:

House Bill No. 71—Buck

House Bill No. 224—Hudson

House Bill No. 228—Murphy (Davidson)

House Bill No. 443—Burnett

House Bill No. 479—Buck

House Bill No. 892—Smith

House Bill No. 958—Burnett

House Bill No. 1035—Davis (Gibson)

Senate Bill No. 191—Owen

Senate Bill No. 558—Kernell

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Senate Bill No. 665—McNally

Senate Bill No. 1115—Naifeh

Mr. Speaker McWherter resumed the Chair.

Mr. Bragg moved that the rules be suspended for the purpose of considering Senate Bill No. 95 out of order, which motion prevailed by the following vote:

Ayes	77
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ellis, Ford, Frenshley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Johnson, Jones, Kelley, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—77.

Representative voting no was: Smith—1.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 95—To amend Section 5-8-102, Code.

Mr. Bragg moved that the House refuse to recede from its action in adopting Amendments Nos. 1, 6, 7, 8, 9 and 13 to Senate Bill No. 95, which motion prevailed.

FURTHER CONSIDERATION OF AMENDED BILL

House Bill No. 963—To make provisions, certain payroll deductions.

Mr. Burnett moved that the House refuse to recede from its action in nonconcurring in Senate Amendment Nos. 2, 5, 6 and 7 to House Bill No. 963, which motion prevailed.

Mr. Burnett moved that the Speaker appoint a Conference to meet with a like committee from the Senate to resolve the differences between the House and Senate on House bill No. 963, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Henry (Roane), Burnett and McKinney as the Conference Committee on House Bill No. 963.

Mr. Murphy (Davidson) moved that the rules be suspended for the purpose of introducing House Resolution No. 65 out of order, which motion prevailed.

House Resolution No. 65—Relative to honoring, Andy Fields—By Murphy (Shelby), Murphy (Davidson), Turner, Burnett, Buck, Carter, McAfee, Lashlee, Clark (Davidson), King (Washington), Robinson (Davidson), Scruggs and Withers.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Murphy (Davidson), the resolution was adopted.

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A motion to reconsider was tabled.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 239 out of order, which motion prevailed.

House Joint Resolution No. 239—Relative to congratulating Whites Creek High School track team—By Love.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Love, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 236 out of order, which motion prevailed.

House Joint Resolution No. 236—Relative to urging review, inmate work release program—By Kent.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Kent, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 237 out of order, which motion failed by the following vote:

Ayes	48
Noes	15
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Buck, Carter, Chiles, Clark (Davidson), Crain, Davis (Gibson), Davis (Hamilton), Dills, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Hillis, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Percy, Richardson, Robertson, Robinson (Hamilton), Scruggs, Severance, Shockley, Smith, Stallings, Tanner, Wallace, Whitson, Wolfe, Wood and Yelton—48.

Representatives voting no were: Bivens, Bragg, Burnett, Covington, Davidson, Davis (Pickett), DeBerry, Disspayne, Ellis, Henry (Roane), Rhinehart, Shirley, Spence, Starnes and Ussery—15.

Representatives present and not voting were: Bewley, DePriest and Owen—3.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, May 20, 1981:

House Bill No. 716—Davis (Hamilton)

House Bill No. 926—Davis (Hamilton)

Senate Bill No. 948—Ford

Mr. Brewer moved that the rules be suspended in order that the first order of business

tomorrow will be the “Unfinished Business,” which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

SECOND ROLL CALL

The roll call was taken with the following results:

Present	95
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Representatives present were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 59—Relative to study, portable jails—By Miller, Tanner, DeBerry, Duncan, Wallace, Lashlee, Baker, Kelley, Ford, Severance, Love, McKinney, Gaia, Gill, Scruggs and Copeland.

The Speaker referred House Resolution No. 59 to the Committee on Calendar and Rules.

House Joint Resolution No. 225—Relative to study, gasoline tax funds—By Miller, McKinney, Owen, Kernell, Martin, Shirley, Covington, Clark (Sumner), Gaia, Cobb, Robinson (Davidson), DeBerry, Brewer, Kent, Scruggs, Bell (Knox), Severance and Smith.

The Speaker referred House Joint Resolution No. 225 to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1344—To create the Tennessee Public Power Agency—By Tanner, Henry (Blount) and Martin.

Passed first consideration.

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House Bill No. 1346—To provide for use of certain property owned by certain municipalities—By Robinson (Washington) and King (Washington).

Passed first consideration.

House Bill No. 1347—To amend Charter, Town of Bluff City—By Yelton.

Passed first consideration.

House Bill No. 1348—To amend Chapter 153 Private Acts of 1917—By Tanner, Dills and Davis (Gibson).

Passed first consideration.

House Bill No. 1349—To amend Chapter 62, Private Acts, 1981—By Tanner, Dill and Davis (Gibson).

Passed first consideration.

House Bill No. 1350—To make certain provisions, health insurance claims—By Gill, Naifeh, Kent, Lashlee, Tanner, Dills and Martin.

Passed first consideration.

House Bill No. 1351—To amend Section 67-3047, Code—By Henry (Roane).

Passed first consideration.

House Bill No. 1352—To set jurisdiction, circuit courts, tenth judicial circuit—By Murphy (Davidson), McKinney and Cobb.

Passed first consideration.

House Bill No. 1353—To amend Section 67-2908, Code—By Bragg.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 175—To amend Title 40, Chapter 8, Code.

Passed first consideration.

Senate Bill No. 444—To appropriate sum certain, building improvements, TSU.

Passed first consideration.

Senate Bill No. 770—To create additional position, 17th Chancery Division.

Passed first consideration.

Senate Bill No. 786—To regulate compensation, juvenile court judge, Hamilton County.

Passed first consideration.

Senate Bill No. 863—To amend Section 39-4914, Code.

Passed first consideration.

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Senate Bill No. 998—To regulate employee contributions, retirement.

Passed first consideration.

Senate Bill No. 1070—To amend Section 5-11-112, Code.

Passed first consideration.

Senate Bill No. 1249—To amend Section 57-4-102, Code.

Passed first consideration.

Senate Bill No. 1320—To amend Section 67-3047, Code.

Passed first consideration.

Senate Bill No. 1339—To amend Chapter 144, Private Acts, 1975.

Passed first consideration.

Senate Bill No. 1341—To regulate powers, city council, Clarksville.

Passed first consideration.

Senate Bill No. 1349—To amend Chapter 260, Private Acts, 1974.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1340—To amend Chapter 55, Private Acts of 1951.

Passed second consideration and held without reference.

House Bill No. 1341—To increase litigation tax, Grundy County.

Passed second consideration and held without reference.

House Bill No. 1343—To amend Chapter 67, Private Acts, 1969.

Passed second consideration and held without reference.

House Bill No. 1345—To amend Charter, Lexington.

Passed second consideration and held without reference.

REPORT OF DELAYED BILLS COMMITTEE

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bill No. 1344 for consideration by the appropriate standing committee.

Ned R. McWherter

James M. Henry

S. Thomas Burnett

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1165, 1331 and 1339; and House Joint Resolutions Nos. 221, 222, 230, 231, 232, 233, 234, 236 and 239; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1042, 1340 and 1345.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 515, 630, 668, 670, 755, 968 and 1321; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 515, 630, 668, 670, 755, 968 and 1321.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 167 (with amendment), 267, 407, 492, 778 (with amendment), 779, 1088 (with amendment) and 1148.

BRAGG, *Chairman.*

Under the rules, House Bills Nos. 167, 267, 407, 492, 778, 779, 1088 and 1148 were transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills 62, 144, 395, 599 (with amendment), 696, 855, 923, 1024, 1136, 1144 (with amendment), 1164, 1220, 1272 and 1325.

MILLER, *Chairman.*

Under the rules, House Bills Nos. 62, 144, 395, 599, 696, 855, 923, 1024, 1136, 1144, 1164, 1220, 1272 and 1325 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 20, 1981: House Bills Nos. 439, 332, 955, 983, 1146; Senate Joint Resolution No. 75; House Bills Nos. 1179, 1215, 279, 778, 779, 267, 916, 492; Senate Bill No. 769; House Bills Nos. 1088 and 167; and Senate Bill No. 368.

GILL, *Chairman*.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 121—Clark (Sumner)

House Bill No. 1356—Wolfe

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, May 20, 1981: House Bills Nos. 1042, 1340, 1342, 1345 and Senate Joint Resolutions Nos. 125, 126 and 129.

GILL, *Chairman*.

Mr. Bragg moved that the pre-file rule be suspended pertaining to House Bill No. 1363, which motion prevailed.

Mr. Robertson moved that the pre-file rule be suspended pertaining to House Bill No. 1370, which motion prevailed.

Mr. Cobb moved that the pre-file rule be suspended pertaining to House Bill No. 1372, which motion prevailed.

BY CONSENT

INTRODUCTION OF BILLS

House Bill No. 1354—To provide minimum compensation of county clerk, certain counties—By Murray.

Passed first consideration.

House Bill No. 1355—To amend Charter, Manchester—By Johnson.

Passed first consideration.

House Bill No. 1356—To amend Chapter 142, Private Acts of 1953—By Stallings.

Passed first consideration.

House Bill No. 1357—To amend Charter, Camden—By Lashlee.

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Passed first consideration.

House Bill No. 1358—To amend Chapter 153, Private Acts of 1917—By Tanner.

Passed first consideration.

House Bill No. 1359—To specify boundaries, Bradford Special School District—By Tanner, Dills and Davis (Gibson).

Passed first consideration.

House Bill No. 1360—To adjust salary, general session court clerk, Cocke County—By Ford and Bewley.

Passed first consideration.

House Bill No. 1361—To amend Chapter 46, Private Acts of 1951—By Scruggs and Owen.

Passed first consideration.

House Bill No. 1362—To amend Chapter 329 of Private Acts of 1970—By Bragg, Buck and Phillips.

Passed first consideration.

House Bill No. 1363—To amend Section 67-1105, Code—By Bragg, Buck and Phillips.

Passed first consideration.

House Bill No. 1364—To provide for collection property taxes, Rutherford County—by Bragg, Buck and Phillips.

Passed first consideration.

House Bill No. 1365—To amend Chapter 557, Private Acts of 1939—By Robinson (Hamilton).

Passed first consideration.

House Bill No. 1366—To amend Chapter 292, Private Acts of 1957—by Pickering and Ussery.

Passed first consideration.

House Bill No. 1368—To amend Chapter 124, Private Acts of 1963—By McKinney, Ellis, Love, Pruitt, Murphy (Davidson), Clark (Davidson), Disspayne, Chiles, Cobb, Covington, Phillips, Robinson (Davidson) and Clark (Davidson).

Passed first consideration.

House Bill No. 1369—To amend Chapter 144, Private Acts of 1975—By Davis (Gibson), Tanner and Dills.

Passed first consideration.

House Bill No. 1370—To modify dates for increase, coal severance tax—By Robertson, Henry (Roane) and Carter.

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Passed first consideration.

House Bill No. 1371—To amend Charter, City of Dayton—by Carter.

Passed first consideration.

House Bill No. 1372—To limit state programs, availability of funds—By Cobb and Copeland.

Passed first consideration.

House Bill No. 1373—To provide for certain jurisdiction of Juvenile Court, Obion County—By Tanner.

Passed first consideration.

House Bill No. 1375—To authorize amusement tax, certain counties—By Scruggs.

Passed first consideration.

House Bill No. 1376—To levy tax on prepared foods, certain counties—By Scruggs.

Passed first consideration.

REPORT OF DELAYED BILLS COMMITTEE

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bill No. 1363 for consideration by the appropriate standing committee.

Ned R. McWherter

James M. Henry

S. Thomas Burnett

REPORT OF DELAYED BILLS COMMITTEE

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bill No. 1370 for consideration by the appropriate standing committee.

Ned R. McWherter

James M. Henry

S. Thomas Burnett

On motion of Mr. Burnett, the House adjourned until 2:00 p.m. tomorrow.